

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MARC VEASEY, JANE HAMILTON,)
SERGIO DELEON, FLOYD J. CARRIER,)
ANNA BURNS, MICHAEL MONTEZ,)
PENNY POPE, OSCAR ORTIZ, KODY)
OZIAS, JOHN MELLOR-CRUMLEY, PEGGY)
HERMAN, EVELYN BRICKNER, GORDON)
BENJAMIN, KEN GANDY, LEAGUE OF)
UNITED LATIN AMERICAN CITIZENS)
(LULAC), AND DALLAS COUNTY, TEXAS,)
Plaintiffs,) CIVIL ACTION NO.
v.) 2:13-CV-193 (NGR)
) [Lead case]
RICK PERRY, Governor of Texas; and JOHN)
STEEN, Texas Secretary of State,)
Defendants.)
)
UNITED STATES OF AMERICA,)
Plaintiffs,)
)
TEXAS LEAGUE OF YOUNG VOTERS)
EDUCATION FUND, IMANI CLARK, AND)
MICHELLE BESSIAKE,)
Plaintiff-Intervenors,)
)
TEXAS ASSOCIATION OF HISPANIC)
COUNTY JUDGES AND COUNTY)
COMMISSIONERS, HIDALGO COUNTY,)
AND MARIA LONGORIA BENAVIDES,)
Plaintiff-Intervenors,)
v.) CIVIL ACTION NO.
) 2:13-CV-263 (NGR)
STATE OF TEXAS, JOHN STEEN, in his) [Consolidated case]
official capacity as Texas Secretary of State;)
and STEVE McCRAW, in his official capacity)
as Director of the Texas Department of Public)
Safety,)
Defendants.)
)

TEXAS STATE CONFERENCE OF NAACP)
BRANCHES; and the MEXICAN)
AMERICAN LEGISLATIVE CAUCUS OF)
THE TEXAS HOUSE OF)
REPRESENTATIVES,)
Plaintiffs,)
v.) CIVIL ACTION NO.
JOHN STEEN, in his official capacity as) 2:13-CV-291 (NGR)
Secretary of State of Texas; and STEVE) [Consolidated case]
McCRAW, in his official capacity as Director)
of the Texas Department of Public Safety,)
Defendants.)

BELINDA ORTIZ, LENARD TAYLOR,)
EULALIO MENDEZ JR., LIONEL)
ESTRADA; ESTELA GARCIA ESPINOSA,)
LYDIA LARA, MARGARITO MARTINEZ)
LARA, MAXIMINA MARTINEZ LARA, AND)
LA UNION DEL PUEBLO ENTERO, INC.)
Plaintiffs,)
v.)
STATE OF TEXAS, JOHN STEEN, in his)
official capacity as Texas Secretary of State;)
and STEVE McCRAW, in his official capacity)
as Director of the Texas Department of Public)
Safety,) CIVIL ACTION NO.
Defendants.) 2:13-CV-348 (NGR)

) [Consolidated case]

**DEFENDANTS' REQUEST FOR JUDICIAL NOTICE OF "A REVIEW OF
THE OPERATIONS OF THE VOTING SECTION
OF THE CIVIL RIGHTS DIVISION"**

Defendants respectfully request the Court take judicial notice of "A Review of the Operations of the Voting Section of the Civil Rights Division" (attached as Exhibit 1) under Federal Rule of Evidence 201(b). The Federal Rules allow courts to notice facts that are not subject to reasonable dispute because the facts "can be

accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” FED R. EVID. 201(b)(2). Courts may take judicial notice of public records or government documents that come from reliable sources, including the internet. *Calop Bus. Sys., Inc. v. City of Los Angeles*, No. CV 12-07542, 2013 WL 6182627, at *3 (C.D. Cal. Oct. 30, 2013). Courts have concluded that published reports of administrative bodies fall into the vein of public records. *See Pension Benefit Guar. Corp. v. White Consol. Indus., Inc.*, 998 F.2d 1192, 1197 (3rd Cir. 1993).

The document “A Review of the Operations of the Voting Section of the Civil Rights Division” (hereafter “The Review”) is a public record and its source can not be questioned. The Review was created by the Office of the Inspector General, an entity statutorily created to evaluate the efficiency and integrity of the Department of Justice programs and its personnel. <http://www.justice.gov/oig/about/>. The Review is publicly available on the United State’s Department of Justice’s website at <http://www.justice.gov/oig/reports/2013/s1303.pdf>.

As a result, it is appropriate for this Court to take judicial notice of The Review.

Dated: May 9, 2014

Respectfully submitted,

GREG ABBOTT
Attorney General of Texas

DANIEL T. HODGE
First Assistant Attorney General

JONATHAN F. MITCHELL
Solicitor General

J. REED CLAY, JR.
Special Assistant and Senior Counsel
to the Attorney General
Southern District of Texas No. 1160600

/s/ John B. Scott
JOHN B. SCOTT
Deputy Attorney General for Civil Litigation
Southern District of Texas No. 10418
Texas State Bar No. 17901500
ATTORNEY-IN-CHARGE

G. DAVID WHITLEY
Assistant Deputy Attorney General
Southern District of Texas No. 2080496

STEPHEN RONALD KEISTER
Assistant Attorney General
Southern District of Texas No. 18580

JENNIFER MARIE ROSCETTI
Assistant Attorney General
Southern District of Texas No. 224780

209 West 14th Street
P.O. Box 12548
Austin, Texas 70711-2548
(512) 475-0131

COUNSEL FOR THE DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on May 9, 2014, a true and correct copy of the foregoing document was served via the Court's ECF system to all counsel of record.

/s/ John B. Scott
JOHN B. SCOTT